

STATE OF NEW HAMPSHIRE INTRA-DEPARTMENT COMMUNICATION


FROM: Matt Urban
Wetlands Program Manager

DATE: October 18, 2016

AT (OFFICE): Bureau of Environment

SUBJECT: NH Wetlands Bureau Permit #2016-00603
Corps Permit #NAE-2016-01868
Seabrook-Hampton-Hampton Falls, 40424

TO: Tobey Reynolds, Project Manager

Forwarded herewith, for your files and further use as appropriate, is a copy of the subject Army Corps of Engineers (ACOE) confirmation of authorization of the New Hampshire State Programmatic General Permit. Please attach this Army Corps of Engineer's confirmation letter to the New Hampshire Wetlands Bureau Permit.

Environmental Coordinator: Please find enclosed a copy of a *Compliance Certification Form*. Please submit the *Compliance Certification Form* to the ACOE within one month of the completion of work.

If you have any questions please contact me at 271-3226.

MRU:sel
Encl.
BOE Original
Darrel Elliott, Environmental Coordinator
Meli Dube, Environmental Manager
Kathleen Corliss, Bureau of Highway Design
Lysa Bennett-Crouch, Bureau of Highway Design



DEPARTMENT OF THE ARMY
US ARMY CORPS OF ENGINEERS
NEW ENGLAND DISTRICT
696 VIRGINIA ROAD
CONCORD MA 01742-2751

October 13, 2016

Regulatory Division
CENAE-R-PEC
Permit Number: **NAE-2016-01868**

RECEIVED
BUREAU OF ENVIRONMENT

OCT 17 2016

New Hampshire Department of Transportation #40424
Attn: Matt Urban (murban@dot.state.nh.us)
P.O. Box 483
Concord, New Hampshire 03302

NH DEPARTMENT OF
TRANSPORTATION

Dear Applicant:

This is to inform you that we have reviewed your application to conduct activities as described on the attached NH Permit No. 2016-00603, dated 08/08/2016.

Based on our review of the information you provided to the NHDES Wetlands Bureau, we have determined that your project, which may include a discharge of dredged or fill material into waters or wetlands, will have only minimal individual or cumulative environmental impacts on waters of the United States, including wetlands. **We hereby conditionally authorize your project under the attached Federal permit known as the New Hampshire State Programmatic General Permit (NHSPGP) pending final concurrence with the Wetlands Bureau approval by the Governor & Executive Council (G&C).** This work must be performed in accordance with the terms and conditions of the PGP.

You are responsible for complying with all of the PGP's requirements. Please review the attached PGP carefully to familiarize yourself with its contents. You should ensure that whoever does the work fully understands the requirements and that a copy of the permit document is at the project site throughout the time the work is underway. A copy of the PGP can be found at <http://www.nae.usace.army.mil/Missions/Regulatory/StateGeneralPermits/NewHampshireGeneralPermit.aspx>

This authorization expires on August 3, 2017, unless the PGP is modified, suspended, or revoked before that. You must complete the work authorized herein by that date. If you do not, you must contact this office to determine the need for further authorization before continuing the activity. We recommend that you contact us *before* this authorization expires to discuss a time extension or reissuance of the authorization.

If you change the plans or construction methods for work within our jurisdiction, please contact us immediately to discuss modification of this authorization. This office must approve any changes before you undertake them.

This authorization requires you to complete and return the enclosed Compliance Certification Form within one month following the completion of the authorized work.

Please note that if your proposal is vetoed or modified by the G&C, making it different from that which the NHDES Wetlands Bureau approved on the date stated in the first paragraph of this letter, you must re-submit a complete application to this office for review and processing in accordance with the terms and conditions of the then-current NHSPGP.


This authorization presumes that the work as described above and as shown on your plans is in Waters of the U.S. Should you desire to appeal our jurisdiction, please submit a request for an approved jurisdictional determination in writing to this office.

This permit does not obviate the need to obtain other Federal, state or local authorizations required by law, including those listed in the PGP. Performing work not specifically authorized by this determination or failing to comply with all the terms and conditions of the PGP may subject you to the enforcement provisions of Corps regulations.

We continually strive to improve our customer service. In order for us to better serve you, we would appreciate your completing our Customer Service Survey located at http://www.nae.usace.army.mil/reg/Customer_Service_Survey.pdf.

If you have questions concerning this, please contact Christopher R. Marron of my staff at (978) 318-8977, (978) 318-8335/8338, (800) 343-4789, or, if calling from within Massachusetts, (800) 362-4367. His e-mail address is Christopher.R.Marron@usace.army.mil

Sincerely,


Frank J. DelGiudice
Chief, Permits & Enforcement Branch
Regulatory Division

Enclosures

Copies Furnished:

New Hampshire Department of Environmental Services, 29 Hazen Drive, Concord, New Hampshire 03302-0095, Attn: Mr. Collis Adams (collis.adams@des.nh.gov)

New Hampshire Department of Environmental Services, 29 Hazen Drive, Concord, New Hampshire 03302-0095, Attn: Elizabeth Knowland (elizabeth.knowland@des.nh.gov)

Hoyle, Tanner & Associates, Inc., 150 Dow Street, Manchester, New Hampshire 03101
Attn: Kimberly R. Peace (kpeace@hoyletanner.com) (603) 669-5555



The State of New Hampshire
DEPARTMENT OF ENVIRONMENTAL SERVICES



Thomas S. Burack, Commissioner

WETLANDS AND NON-SITE SPECIFIC PERMIT 2016-00603

Permittee: NH Dept. of Transportation
PO Box 483
Concord, NH 03302-0483

Project Location: US Route 1, Hampton
Hampton Tax Map/Lot No. 189, 202-204 /

Waterbody: Taylor, Hampton Falls & Drakes Rivers & Landing Br

**NOTE--
CONDITIONS**

APPROVAL DATE: 08/08/2016

EXPIRATION DATE: 08/08/2021

Based upon review of the above referenced application, in accordance with RSA 482-A and RSA 485-A:17, a Wetlands Permit and Non-Site Specific Permit was issued. This permit shall not be considered valid unless signed as specified below.

PERMIT DESCRIPTION: Rehabilitate pavement, bridge deck maintenance and joint repairs; guardrail upgrades; slope stabilization for a single slope failure; and one 60 inch culvert with an inlet headwall repair and outlet headwall replacement impacting 19,880 sq. ft. (17,752 sq. ft. temporary) of estuarine, riverine and palustrine wetlands and 344,920 sq. ft. (330,530 sq. ft. temporary) of buffer zones. **NHDOT project #40424**

Mitigation for the proposed impacts is through a payment into the Aquatic Resource Mitigation Fund.

THIS APPROVAL IS SUBJECT TO THE FOLLOWING PROJECT SPECIFIC CONDITIONS:

1. All work shall be in accordance with plans by NHDOT Bureau of Highway Design, dated July 2016 as received by the NH Department of Environmental Services (DES) on August 1, 2016.
2. This approval is not valid until DES receives a one-time payment of \$20,545.07 to the DES Aquatic Resource Mitigation (ARM) Fund. The applicant shall remit payment to DES. If DES does not receive payment within 120 days of the date of this approval letter, DES will deny the application.
3. At least 48 hours prior to the start of construction, a pre-construction meeting shall be held with NHDES Land Resources Management Program staff at the project site, at the NHDES Office in Concord, N.H. or other mutually agreed upon location to review the conditions of this wetlands permit.
4. It shall be the responsibility of the permittee to schedule and coordinate the pre-construction meeting providing at least 5-day notice to the NHDES Wetlands Bureau and / or other Land Resources Management Program staff, and the meeting shall be attended by the permittee, the contract administrator(s), wetlands scientist(s), erosion control monitor, and the contractor(s) responsible for performing the work.
6. Construction monitoring reports shall be provided to the Wetlands Bureau file.
5. Dredged material shall be placed out of the DES Wetlands Bureau jurisdiction.
7. Construction equipment shall not be located within surface waters.
8. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; and c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of 20 ft, of undisturbed vegetated buffer.
9. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and shall remain until the area is stabilized.

DES Web site: www.des.nh.gov

P.O. Box 95, 29 Hazen Drive, Concord, New Hampshire 03302-0095

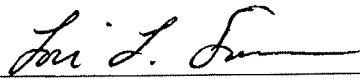
Telephone: (603) 271-3503 • Fax: (603) 271-6588 • TDD Access: Relay NH 1-800-735-2964

10. Within three days of the last activity in an area, all exposed soil areas, where construction activities are complete, shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack on slopes steeper than 3:1 or netting /matting and pinning on slopes steeper than 2:1.
11. Where construction activities have been temporarily suspended within the growing season, all exposed soil areas shall be stabilized within 14 days by seeding and mulching or if temporarily suspended outside the growing season, all exposed areas shall be stabilized within 14 days by mulching, mulching with tack on slopes steeper than 3:1 and stabilized by matting and pinning on slopes steeper than 2:1.
12. The contractor responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
13. Extreme precautions to be taken within riparian areas to limit unnecessary removal of vegetation during road construction and areas cleared of vegetation to be re-vegetated as quickly as possible.
14. There shall be no further alteration to wetlands or surface waters without amendment of this permit.
15. Standard precautions shall be taken to prevent import or transport of soil or seed stock from nuisance, invading species such as purple loosestrife or Phragmites.
16. The impacts associated with the temporary work shall be restored immediately following construction.
17. Cofferdams shall not be installed during periods of high flow, whether due to seasonal runoff or precipitation. Once a cofferdam is fully effective, confined work can proceed without restriction.
18. Prior to commencing work on a substructure located within surface waters, a cofferdam shall be constructed to isolate the substructure work area from the surface waters.
19. Temporary cofferdams shall be entirely removed immediately following construction.
20. Conservation Commissions shall be notified in writing of the beginning and end of the project.
21. No work shall be conducted in tidal water between April 15 and June 30.
22. The NHDOT shall commit to the recommendations provided by the Natural Heritage Bureau.
23. Prior to commencing work the NHDOT shall submit to the file the subsequent coordination e-mail / commitments with the Natural Heritage Bureau and shall adhere to those commitments.

GENERAL CONDITIONS THAT APPLY TO ALL DES WETLANDS PERMITS:

1. A copy of this permit shall be posted on site during construction in a prominent location visible to inspecting personnel;
2. This permit does not convey a property right, nor authorize any injury to property of others, nor invasion of rights of others;
3. The Wetlands Bureau shall be notified upon completion of work;
4. This permit does not relieve the applicant from the obligation to obtain other local, state or federal permits, and/or consult with other agencies as may be required (including US EPA, US Army Corps of Engineers, NH Department of Transportation, NH Division of Historical Resources (NH Department of Cultural Resources), NHDES-Alteration of Terrain, etc.);
5. Transfer of this permit to a new owner shall require notification to and approval by DES;
6. This project has been screened for potential impacts to **known** occurrences of rare species and exemplary natural communities in the immediate area. Since many areas have never been surveyed, or have received only cursory inventories, unidentified sensitive species or communities may be present. This permit does not absolve the permittee from due diligence in regard to state, local or federal laws regarding such communities or species.

7. Review enclosed sheet for status of the US Army Corps of Engineers' federal wetlands permit.

APPROVED: 
for Gino Infascelli
DES Wetlands Bureau

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**BY SIGNING BELOW I HEREBY CERTIFY THAT I HAVE FULLY READ THIS PERMIT AND
AGREE TO ABIDE BY ALL PERMIT CONDITIONS.**

OWNER'S SIGNATURE (required)

CONTRACTOR'S SIGNATURE (required)



**US Army Corps
of Engineers®**
New England District

(Minimum Notice: Permittee must sign and return notification
within one month of the completion of work.)

COMPLIANCE CERTIFICATION FORM

Permit Number: NAE-2016-01868

Project Manager Christopher R. Marron

Name of Permittee: New Hampshire Department of Transportation

Permit Issuance Date: October 13, 2016

Please sign this certification and return it to the following address upon completion of the activity and any mitigation required by the permit. You must submit this after the mitigation is complete, but not the mitigation monitoring, which requires separate submittals.

* MAIL TO: U.S. Army Corps of Engineers, New England District *
* Permits and Enforcement Branch C *
* Regulatory Division *
* 696 Virginia Road *
* Concord, Massachusetts 01742-2751 *

Please note that your permitted activity is subject to a compliance inspection by an U.S. Army Corps of Engineers representative. If you fail to comply with this permit you are subject to permit suspension, modification, or revocation.

I hereby certify that the work authorized by the above referenced permit was completed in accordance with the terms and conditions of the above referenced permit, and any required mitigation was completed in accordance with the permit conditions.

Signature of Permittee

Date

Printed Name

Date of Work Completion

(_____)_____
Telephone

(_____)_____
Telephone